

**City of Miami Beach - City Commission Meeting**  
**Commission Chambers, 3rd Floor, City Hall**  
**1700 Convention Center Drive**  
**May 29, 2002**

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Mayor David Dermer  
 Vice-Mayor Saul Gross  
 Commissioner Matti Herrera Bower  
 Commissioner Simon Cruz  
 Commissioner Luis R. Garcia, Jr.  
 Commissioner Jose Smith  
 Commissioner Richard L. Steinberg

City Manager Jorge M. Gonzalez  
 City Attorney Murray H. Dubbin  
 City Clerk Robert E. Parcher

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### ATTENTION ALL LOBBYISTS

**Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.**

Meeting called to order at 9:25 a.m.

Inspirational message given by father Enrique Estrada from St. Patrick's Catholic Church.

Pledge of Allegiance led by Don De Lucca.

### CONSENT AGENDA

PA1	Cert. of Apprec./Glenda Whipple, Police Department, "At Your Service Award."	1
PA2	Proclamation/Honoring "Haitian Cultural Heritage Month." (Dermer)	
PA3	Cert. of Apprec./Delia Mates Ciampoli, Cultural Attaché Of France. (Dermer)	
PA4	Proclamation/Honoring "National Chamber of Commerce Week." (Dermer)	
PA5	Proclamation/A. Alfonso, Royal Palm Barber Shop, Successful Business For 30 Years. (Smith)	
PA6	Cert. of Apprec./Police Personnel, Worked on Ana M. Angel Abduction/Murder Case. (Cruz)	
PA7	<b>New Item:</b> Plaque/Mayor & Commission, From Consulate of Peru/Donation of Fire Trucks.	
PA8	<b>New Item:</b> Proclamation/Honoring "Miami Beach Water Polo Club Day." (Smith)	
PA9	<b>New Item:</b> Cert. of Apprec./Standard Parking, Recog. their Annual Christmas Drive. (CC)	
PA10	<b>New Item:</b> Cert. of Apprec./L. Kaltman, Parking Dept., 21-Years of Loyal Service to CMB. (Dermer)	
PA11	<b>New Item:</b> Cert. of Apprec./Robert Hernandez, Miami Beach Police Department. (Dermer)	
PA12	<b>New Item:</b> Cert. of Apprec./Christina M. Cuervo, Assistant City Manager. (Dermer)	
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C2B	BA 17-01/02, Supply (4) Spotlights - Jackie Gleason Theater (TOPA), \$39,080.	8
C2C	BA 18-01/02, Investigative/Adjusting Services/Tort Liability & Workers' Comp. Claims, \$81,600.	13
C4A	Ref: Fin. & CWP Committee - Chamber of Commerce Fair Share Task Force Report. (Smith)	18
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R7D <b>11:30 a.m.</b> Undertake Constr. Serv., Lincoln Rd Lighting/Fountain Renovation Project. <b>5/7</b>	386/SM
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R7M <b>10:00 a.m.</b> Accept Recomm., Proposed Master Plan for the 17 <sup>th</sup> Street Surface Lots.	543
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R9A	<b>3:30 p.m.</b> Board And Committee Appointments.	565
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R9C	Disc. Mayor's Blue Ribbon Tourism Task Force - Residential Subcommittee Report. (Dermer)	619
R9D	Disc. Ord. re: Prohibiting Lobbyists from Making/Soliciting Campaign Contributions. (Gross)	621
R9E	Disc. Updated Report Regarding South Pointe Baywalk. (Bower)	623
R9F	<b>5:30 p.m.</b> Disc. 63rd Street Flyover Construction Mitigation Of Traffic (MOT) Plan. (Steinberg)	625
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### **REPORTS AND INFORMATIONAL ITEMS**

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### **REDEVELOPMENT AGENCY ITEMS**

3A	<b>10:00 a.m.</b> Amend City Center Historic Convention Village Redev./Revitalization Area Plan.	1
3B	<b>Joint</b> , Approp. Funds, Lincoln Road Improvements Project, \$222,352.92.	10
3C	<b>Joint</b> , Approp. Funds/Enhancement Of Lighting & Fountains on Lincoln Road.	15
3D	Appropriate Funds, Construction of Temporary Pedestrian Baywalk.	22
3E	<b>Joint</b> , Appropriate City Center Funds, Bass Museum Expansion & Renovation Project.	31

### **Memorial Day Weekend discussion.**

Mayor Dermer commented on the Memorial Day weekend and the first class job the City of Miami Beach did. He commended Jorge Gonzalez, City Manager, and stated that he should be highly commended today. The Administration did an excellent job in planning and executing the plan. He recognized Chief De Lucca, the Fire Department, Sanitation, Code Compliance, Nannette Rodriguez, James Quinlan and the Parks Department.

Jorge Gonzalez, City Manager, stated that without the leadership and the commitment from the staff this could not have been done. The weekend was the culmination of a task that began about a year ago to develop a Major Events Plan. The plan was implemented and implemented well. Moral in the departments was high. The City staff took the challenge and set the standard for the City of Miami Beach and other cities. He stated that he is pleased and proud that this City is a shining light in South Florida in dealing with difficult circumstances. He thanked all of the staff that participated in the events of this past weekend.

Commissioner Bower commended the staff and all the employees for the high moral and their participation. She stated that Christina Cuervo, Assistant City Manager, makes the City proud and is a great role model. She worked extremely hard on this event and should be specially recognized.

Jorge Gonzalez, City Manager, stated that about a year ago, following the Memorial Day weekend, he assigned the Special Events task to Christina with the challenge to develop a plan for the future. The plan was tested over this Memorial Day weekend and the plan passed with flying colors.

Commissioner Garcia stated that everyone did a great job. He stated that Jorge Gonzalez, City Manager, was the catalyst that put the plan together. He stated that he is now officially taking Jorge off probation. He stated that he is very proud Jorge is our City Manager and is looking forward to a long working relationship.

Vice-Mayor Gross stated that he has been receiving a lot of calls from residents congratulating the City for a job well done. He stated that it is not often that the City earns high marks from its residents.

Commissioner Cruz stated that the staff was superb. It was a tribute to the City. It made the City look great nationally. He also stated that everyone enjoyed the activities and the visitors had fun. He thanked the City Manager for a wonderful job.

Commissioner Steinberg congratulated the City Manager, the Police Chief, Christina Cuervo, and the Police Officers from Miami-Dade County for a great job. He thanked Chief De Lucca and Jorge Gonzalez, City Manager, on behalf of the Commission and the residents. He has heard great remarks from the residents on how the City handled the Memorial Day weekend.

Mayor Dermer stated that although it was a team effort, he wanted to recognize two individuals who exemplify the team effort, Christina Cuervo and Bobby Hernandez.

Christina Cuervo complimented Police, Fire, Code Compliance, Public Works and Sanitation. It was a great feeling to see all the staff working towards a common goal. Everyone needs to be thanked because everyone did a phenomenal job.

Bobby Hernandez, Public Information Officer in the Police Department, stated that he was just the fortunate one who was able to carry the flag of success for the entire City. Everyone did a wonderful job.

**5:04:09 p.m.**

Bernie Ruder, President of the Fraternal Order of Police, thanked the City Manager and City staff for a job well done during the Memorial Day Weekend. He stated that all the meetings and planning paid off. He added "the FOP gives you an A+," and read a statement into the record.

**2:53:53 p.m.**

Mitch Novick commended the Administration for a job well done and shared one of the shirts distributed over the weekend.

Handout or reference materials

1. Document submitted by Bernie Ruder and read into the record.

**2002 Leadership Award.**

Mayor Dermer announced that the "2002 Leadership Award" was presented to Jorge Gonzalez, City Manager, from the Miami-Dade City/County Management Association. The award was established by the Association to honor individuals who by force or initiative, innovation and perseverance, have made an outstanding and significant contribution to the public interest in the area of government performance. Jorge Gonzalez, City Manager, received the award on May 17, 2002.

**11:43:41 a.m.**

Mayor Dermer recognized former Ambassador Paul Cejas, who was Ambassador to Belgium during President Clinton's Administration.

**PA - Presentations and Awards**

- PA1 Certificate Of Appreciation To Be Presented To Glenda Whipple, Police Department, In Recognition Of The "At Your Service Award" For The Month Of May 2002.  
(City Manager's Office)  
(Deferred From May 8, 2002)

**ACTION:** Item deferred.

- PA2 Proclamation To Be Presented In Honor Of "Haitian Cultural Heritage Month."  
(Requested By Mayor David Dermer)

**ACTION:** Proclamation presented.

- PA3 Certificate Of Appreciation To Be Presented To Delia Mato Ciampoli Of The Cultural Attaché Of France, For Contributing To The Cultural Fabric Of Our Community.  
(Requested By Mayor David Dermer)

**ACTION:** Certificate of Appreciation presented.

- PA4 Proclamation To Be Presented In Honor Of "National Chamber Of Commerce Week."  
(Requested By Mayor David Dermer)

**ACTION:** Proclamation presented.

- PA5 Proclamation To Be Presented To Alex Alfonso, Royal Palm Barber Shop, In Gratitude For 30 Years Of Running A Successful Business On Miami Beach.  
(Requested By Commissioner Jose Smith)

**ACTION:** Proclamation presented.

- PA6 Certificates Of Appreciation To Be Presented To Police Personnel Who Worked On The Abduction/  
Murder Case Of Ana Maria Angel.  
(Requested By Commissioner Simon Cruz)

**ACTION:** Certificates of Appreciation presented.

Commissioner Cruz read the statement sent by Major Charles Press requesting the Certificates of Appreciation for Sergeant Julio Yero and Detective Larry Marrero.

Handout or Reference Material

1. Letter of Commendation/Award Nomination Form submitted by Lt. David Allen

**New Item:**

- PA7 Plaque To Be Presented To The Mayor & Commissioners, From The Consulate Of Peru For The  
Donation Of Fire Trucks.

**ACTION:** Plaque presented.

**New Item:**

- PA8 Proclamation To Be Presented Honoring "Miami Beach Water Polo Club Day."  
(Requested by Commissioner Smith)

**ACTION:** Item deferred.

**New Item:**

- PA9 Certificate Of Appreciation To Be Presented To Standard Parking For Their Contribution To The  
Annual Christmas Drive.  
(Requested by Mayor Dermer)

**ACTION:** Certificate of Appreciation presented.

Diana Susi, President of AYUDA, presented Frank Pintado with a plaque.

**New Item:**

- PA10 Certificate Of Appreciation To Be Presented To Larry Kaltman For 21 Years Of Loyal Service With  
The Parking Department.  
(Requested by Mayor Dermer)

**ACTION:** Certificate of Appreciation presented.

**New Item:**

- PA11 Certificate of Appreciation To Be Presented To Robert Hernandez Public Information Officer At  
The Police Department.  
(Requested by Commissioner Cruz)

**ACTION:** Certificate of Appreciation presented.

**New Item:**

PA12 Certificate Of Appreciation To Be Presented To Christina Cuervo, Assistant City Manager, For Her Contribution During The Memorial Day Weekend.  
(Requested by Mayor Dermer)

**ACTION:** Certificate of Appreciation presented.

**CONSENT AGENDA**

**ACTION:** Motion made by Commissioner Bower to approve the Consent Agenda; seconded by Commissioner Garcia; Voice vote: 7-0.

**C2 - Competitive Bid Reports**

C2A Request For Approval To Award A Contract To The Lowest And Best Bidder, Carivon Construction Co., In The Amount Of \$39,864, Pursuant To Bid No. 22-01/02 For The Miami Beach Convention Center Drain Pipe Repair.

(Convention Center)

**ACTION: Contract Awarded.** Gus Lopez to issue purchase order. Doug Tober to handle.

C2B Request For Approval To Award A Purchase Order To Mainstage Theatrical Supply Inc., In The Amount Of \$39,080, Pursuant To Bid No. 17-01/02, To Supply Four (4) Spotlights For The Jackie Gleason Theater Of Performing Arts (TOPA).

(Convention Center)

**ACTION: Award approved.** Gus Lopez to issue purchase order. Doug Tober to handle.

C2C Request For Approval To Award A Contract To Horizon Investigations, Inc., (Primary) In The Estimated Annual Amount Of \$60,000, And To Johns Eastern Co., Inc., (Secondary) In The Estimated Annual Amount Of \$21,600, Pursuant To Bid No. 18-01/02 For Investigative And Adjusting Services For Tort Liability Claims And Workers' Compensation Claims.

(Human Resources)

**ACTION: Contract Awarded.** Cliff Leonard to handle.

**C4 - Commission Committee Assignments**

- C4A Referral To The Finance And Citywide Projects Committee - Report Submitted By The Chamber Of Commerce Fair Share Task Force.  
(Requested By Commissioner Jose Smith)

**ACTION: Referred.** Patricia Walker to place on Committee agendas. Patricia Walker to handle.

Handout or reference materials

1. Miami Beach Chamber of Commerce Our Fair Share Task Force

- C4B Referral To The Finance And Citywide Projects Committee – Miami Beach Convention Center - Volume Services Of America.  
(Requested By Commissioner Jose Smith)

**ACTION: Referred.** Patricia Walker to place on Committee agendas. Christina Cuervo to handle.

**C6 - Commission Committee Reports**

- C6A Report Of The G.O. Bond Oversight Committee Meeting Of April 8, 2002: **1)** Projects Status Report: a) 13<sup>th</sup> Street Parking Garage Expansion; **2)** Recommendations To The City Commission: a) Star, Palm And Hibiscus Basis Of Design Report (BODR); b) Biscayne Point Neighborhood Design Services Award; c) Amendment To 17th Street Renovations A/E Agreement; d) West Avenue Additional Services Award; e) A/E RFP For Venetian Islands; **3)** Informational Items: a) Updated Calendar Of Scheduled Community Design Workshops; b) Normandy Shores ROW Improvements Community Design Workshop # 2 Report; c) Report On Relocation Of Library On Washington Avenue; d) Discussion Of "Nominal Group" Form Of Consensus Building; e) Use Of Shane Water Sports Center Project GO Bond Funds; And **4)** Change Order Report.

**ACTION:** Written report submitted.

- C6B Report Of The Neighborhoods Committee Meeting Of April 17, 2002: **1)** Temporary Permits Ordinance; **2)** Recommendations Regarding Code Compliance Criteria, Existing Code Enforcement Laws And Settlement Of Liens; And **3)** Educational Programming For Monument Island.

**ACTION:** Written report submitted.

**Item 1:** Discussion regarding the Temporary Permits Ordinance amendment which aligns holiday construction limitations with those observed by the City. **The Committee unanimously approved not amending the ordinance. No action required.**

**Item 2:** Recommendation regarding code compliance criteria, existing code enforcement laws and settlement of liens. The Committee approved the Policy for all City Code fines with the following recommendations: **Al Childress to handle.**



- A) Fines capped at 15% of the assessed property value level or 180 days, whichever comes first.
- B) During the foreclosure process, fines will continue to accrue up to 15% of the assessed value of the property, in the event such limit was not reached by passage of 180 days for the Special Master's order of violation.
- C) Develop a matrix and assign a score/weight to each mitigation criteria.
- D) If face-to-face contact is not possible, contact violator telephonically (from Occupational License).
- E) Prioritize the most egregious violations.

Staff will develop the matrix and schedule a meeting to review and discuss with the Committee members. After the matrix is approved, a resolution will be prepared approving the code fine policy.

**Item 3.** The Committee did not take any action on this item.

- C6C Report Of The Community Affairs Committee Meeting Of April 23, 2002: **1)** Discussion Regarding Review And Recommendation On A Citizen's Request To Televis, On Government Channel 20, Meetings Of The City Commission Committees; **2)** Discussion Regarding Broadcasting Televised City Of Miami Beach Board And Commission Meetings In Both English And Spanish In Order To Improve Communication Between The City And Our Community; And **3)** Discussion Regarding The Ordinance Implementing A Local Preference In The Award Of Contracts For Goods And Services To Miami Beach-Based Vendors, By Amending Chapter 2 Of The Code Of The City Of Miami Beach Entitled "Administration", By Amending Article VI Thereof Entitled "Procurement", By Amending Division 3 Entitled "Contract Procedures", And Division 4 Entitled "Purchases", By Amending Section 2-369, 2-370, And 2-395.

**ACTION:** Written report submitted.

**Item 1.** Discussion regarding review and recommendation on a citizen's request to televise, on government channel 20, meetings of the City Commission Committees.

The earlier motion made at the April 2, 2002 Community Affairs Committee (CAC) was rescinded because the Committee wanted to maintain the same venue and feel of a roundtable meeting as opposed to a more formal audience setting and the inability to do quality taping in the City Manager's Large Conference Room. Other factors included a lack of staffing and financial resources. **No action required.**

**Item 2.** Discussion regarding broadcasting televised City of Miami Beach Board and Commission Meetings in both English and Spanish in order to improve communication between the City and out community.

The Committee authorized the Administration to proceed with the process of translating the Commission meetings, Commission Workshops, and Budget Hearings from English to Spanish. **R. Parcher to develop specifications and issue an RFP.**

**Item 3.** Discussion regarding the ordinance implementing a local preference in the award of contracts for goods and services to Miami Beach based vendors by amending Chapter 2 of the Code of the City of Miami Beach entitled "Administration," by amending Article VI thereof entitled "Procurement," by amending Division 3 entitled "Contract Procedures," and Division 4 entitled "Purchases," by amending Section 2-369, 2-370, and 2-395.

The Administration is to research. See Report for research specifics. **Gus Lopez to handle.**

**C7 - Resolutions****10:27:23 a.m.**

- C7A A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Qualifications Received Pursuant To Request For Qualifications (RFQ) No. 12-01/02, For Professional Services Agreement To Provide Structural Engineering Plans Processing Services; Authorizing The Administration To Enter Into Negotiations And, If Successful, Contract With All Three Firms: H.J. Ross Associates; DMJM Harris; And Balsara And Associates, Inc.  
(Building Department)

**ACTION: Item separated for discussion by Vice-Mayor Gross.**

**Resolution No. 2002-24855 adopted.** Motion made by Commissioner Bower; seconded by Vice-Mayor Gross; Voice vote 6-0; Absent: Commissioner Garcia. Phil Azan to handle.

Vice-Mayor Gross stated that the Administration has been proactive on increasing the services related to structural plans review. This agenda item approves three (3) outside firms which will assist in providing enhance services. He stated that the firms who are providing the most responsive services, with fair comments, should be rewarded by getting more work. He asked how the Administration plans on utilizing these services.

Jorge Gonzalez, City Manager, stated that the final structural review vacancy was filled. To provide better services to our customer, there will now be four firms to augment City staff in the plans review area. The Administration plans on creating competition between the four firms to ensure that reviews are done expeditiously. Those firms that demonstrate they can do a good job and do it quickly will benefit by getting more work. The Administration will follow-up with an LTC on how it will be implemented. **Phil Azan to handle.**

Commissioner Smith stated that he wanted the Administration to be sensitive and mindful that work sent to these companies needs to be evaluated in a totally objective manner.

Commissioner Cruz commended the City Manager for acting upon the recommendations of the Business Resolution Task Force (BRTF) and Vice-Mayor Gross, who chaired the BRTF.

Jorge Gonzalez, City Manager, recognized the staff in the Building Department.

**10:33:44 am.**

- C7B A Resolution Setting A Public Hearing On June 19, 2002, To Consider A Waiver Of The Land Development Regulations Applicable To The Fire Station No. 4 Project Site, Pursuant To Section 142-425(D) Of The Code Of The City Of Miami Beach, In Order To Allow An Encroachment Into The Required Setback Facing 69th Street, And Eliminate The Provision Of The Required On-Site Parking Spaces For The Fire Station No. 4 General Obligation Bond Project.  
(Capital Improvement Projects)

**ACTION: Item separated for discussion by Vice-Mayor Gross.**

**Resolution No. 2002-24856 adopted.** Motion made by Commissioner Bower; seconded by Commissioner Garcia; Voice vote 7-0. Public hearing scheduled for June 19, 2002. R. Parcher to notice. Lilia Cardillo to place on the agenda. Jorge Gomez to handle.

Vice-Mayor Gross stated the design requires a variance and firmly believes that the City should follow the same rules that the citizens and business owners follow, which is going to the Zoning Board.

Commissioner Smith stated that the City is not a private party. When a private party goes before the Zoning Board for a variance, they are acting for their own self-interest. When the City is acting as the owner of a property it is acting on behalf of the public good. In this case, the City is acting in regard to public safety, both Police and Fire, and historic preservation.

Jorge Gomez, Planning Department Director, gave an overview of why this action is being taken.

- C7C A Resolution Approving The Addition Of The Cherokee Avenue Seawall Repair And Street End Enhancement, As Amendment No. 1 To The Scope Of Services For The Agreement With Reynolds, Smith And Hills, Inc., Consultant For The La Gorce Right Of Way Improvement Project, And Further Appropriating \$45,000 From 1999 General Obligation Bond Funds Allocated For Sea Wall Repair And Street End Enhancement To The La Gorce Right Of Way Improvement Project.  
(Capital Improvement Projects)

**ACTION: Resolution No. 2002-24857 adopted.** Tim Hemstreet to handle.

- C7D A Resolution Approving The City Of Miami Beach As Intermediary For The Temporary Outdoor Sculpture Project, Endorsed By Miami Beach Art In Public Places Committee, Entitled "Flamingos On The Beach," At No Cost Or Profit To The City; Accepting Sponsorship Donations Of Up To \$100,000, And Disbursing Payments To The Fabricator, Kern Studios, Not To Exceed \$43,750; And Further Authorizing The City Manager To Execute A Letter Of Agreement With Laura Jamieson, As Principal Of South Beach Public Relations, For Project Administration Fees Not To Exceed \$10,000, And Project Expenditures Not To Exceed \$46,250.  
(City Manager's Office)

**ACTION: Resolution No. 2002-24858 adopted.** Christina Cuervo to handle.

- C7E A Resolution Authorizing The Administration To Issue An Increase To The Existing Standing Order For RCC Consultants, Inc., In The Amount Of \$50,000, For A Technical Services Agreement To Continue Necessary Work To Review And Analyze The Proposals For The Proposed Upgrade And/Or Replacement Of The Present 800Mhz Radio System, To Make A Presentation Of The Results Of Analysis Of The Proposals To The City Manager And His Designated Staff, And To Participate With The City Administration In The Contract Negotiations With The Selected Vendor.

(Finance Department)

**ACTION: Resolution No. 2002-24859 adopted.** Kay Randall to handle.

- C7F A Resolution To Ratify A Revised Three Year Labor Agreement Between The City Of Miami Beach And The Government Supervisors Association Of Florida/OPEIU Local 100, (GSA) For The Period From October 1, 2000 Through September 30, 2003, And Authorize The Mayor And City Clerk To Execute The Agreement.

(Human Resources)

**ACTION: Resolution No. 2002-24860 adopted. Mary Greenwood to handle.**

- C7G A Resolution Consenting To The Appointment Of Timothy D. Hemstreet As Capital Improvement Projects Director.

(Human Resources)

**ACTION: Resolution No. 2002-24861 adopted.**

- C7H A Resolution Approving And Authorizing The City Manager To Issue A Certification Of Consistency With The City's Consolidated Plan To The Housing Authority Of The City Of Miami Beach (HACOMB) For Its Five Year Plan For Fiscal Years 2003-2007 And Its Annual Plan For Fiscal Year 2003, To Be Submitted By HACOMB To The U.S. Department Of Housing And Urban Development (U.S. HUD).

(Neighborhood Services)

**ACTION: Resolution No. 2002-24862 adopted. Vivian Guzman to handle.**

- C7I A Resolution Adopting An Amendment To The City's One-Year Action Plan For Federal Funds For Fiscal Year 2001/2002, Reallocating To The Miami Beach Community Development Corporation (MBCDC) \$760,000 Of Home Investment Partnerships (HOME) Program Funds From Fiscal Years 1992/1993 And 1993/1994, Previously Committed To The Housing Authority Of The City Of Miami Beach (HACOMB), To Be Used By MBCDC Toward The Cost Of The Acquisition And Rehabilitation Of An Apartment Building Located At 532 Michigan Avenue To Provide An Estimated Eighteen (18) Rental Units For Income-Eligible Elderly In Accordance With The HOME Program Requirements, And Simultaneously Reallocating \$760,000 HOME Program Funds From FY 2001/2002, Previously Allocated To MBCDC And The City's Housing Initiatives To Provide A Reservation Of HOME Program Funds To HACOMB For The Single Parent Family Housing And Resource Center, 321-327 Michigan Avenue; Further, Authorizing The Mayor And City Clerk To Execute A Second Amendment To The HOME Program Agreement, Dated June 6, 2001, Between The City And MBCDC, Replacing The Previously Committed \$614,913 HOME Program Funds From Fiscal Year 2001/2002 With \$614,913 In HOME Program Funds From Fiscal Years 1992/1993 And 1993/1994.

(Neighborhood Services)

**ACTION: Resolution No. 2002-24863 adopted. Vivian Guzman to handle.**

- C7J A Resolution Approving Substantive Amendments To The One-Year Action Plans For Fiscal Years 2000/01 And 2001/02 For The Reallocation Of \$400,000 In Community Development Block Grant (CDBG) Funds For The Rehabilitation Of The Byron Carlyle Theater As Follows: Reallocating \$150,000 From Fiscal Year 2000/01, And \$150,000 From Fiscal Year 2001/02 North Beach Development Corporation Commercial Facade Program, And \$100,000 From Fiscal Year 2001/02 Miami Beach Community Development Corporation Preservation And Rehabilitation Program.  
(Neighborhood Services)

**ACTION: Resolution No. 2002-24864 adopted.** Vivian Guzman to handle.

- C7K Set Public Hearing - Procedures For Demolition Of Single Family Homes Without Permits  
A Resolution Setting A Public Hearing To Consider An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 142, "Zoning Districts And Regulations," Article II, "District Regulations," Division 2, "Single Family Residential Districts," By Amending Section 142-105 To Establish Procedures And Regulations For New Construction On Properties Where Single Family Homes Were Demolished Without Required Permits.  
(Planning Department)

**ACTION: Resolution No. 2002-24865 adopted.** Public hearing scheduled for June 19, 2002. R. Parcher to notice. Lilia Cardillo to place on the agenda. Jorge Gomez to handle.

Handout:

1. Notice of Ad in Miami Herald

- C7L A Resolution Authorizing The Issuance Of A Request For Proposals (RFP) For The Establishment Of An E-Procurement System Of Solicitation Announcements And Document Fulfillment Services.  
(Procurement)

**ACTION: Resolution No. 2002-24866 adopted.** Gus Lopez to issue the RFP and handle.

- C7M A Resolution Accepting, Subject To Final Approval Of Same By Authorized Officials In Miami-Dade County, The Proposed Final Plat Of "Aqua At Allison Island," A Subdivision Of A Portion Of Allison Island, An Island In Indian Creek, Between Government Lot 6 And Government Lot 7, Sections 11 And 14, Township 53 South, Range 42 East.  
(Public Works)

**ACTION: Resolution No. 2002-24867 adopted.** Fred Beckmann to handle.

- C7N A Resolution Authorizing The Mayor And City Commission To Grant The Attached Non-Exclusive Easement To Florida Power & Light Company (FP&L) For The Provision Of Underground Distribution Facilities And A Transformer Vault, Within A Vacated Portion Of Lenox Avenue (At The Colony Theater), Located At 1040 Lincoln Road; And Authorizing The Mayor And City Clerk To Execute And Record The Easement For The Required Underground Facilities And Transformer Vault.  
(Public Works)

**ACTION: Resolution No. 2002-24868 adopted.** Fred Beckmann to handle.

- C7O A Resolution Approving And Authorizing The Appropriation Of One Thousand Dollars (\$1,000) In Concurrence Mitigation/Middle Beach Funds, To Refund The Corradino Group For Previously Unanticipated Permit Fees, Assessed By Miami-Dade County, For The Implementation Of An Intersection Improvements Project On 41st Street And Indian Creek Drive, That Was Completed In

December 2001.

(Public Works)

**ACTION: Resolution No. 2002-24869 adopted.** Patricia Walker to appropriate the funds. Fred Beckmann to handle.

- C7P A Resolution Setting A Public Hearing For June 19, 2002, To Hear Public Comment Regarding The Appropriation Of \$735,821 In Federal Transit Administration (FTA) Section 5309 Funds, As Required By 49 U.S. Code Chapter 53; These Funds, Earmarked In Fiscal Year 1999-2000 For The Purchase Of Bus And Bus-Related Equipment For The Electrowave Shuttle Service, Must Be Appropriated In June 2002 To Meet FTA Requirements; And Further Stating That The Required Twenty Percent Local Match Will Be Provided, Instead, By A Florida Department Of Transportation "Soft" Match, Utilizing State Toll Revenue Credits.

(Public Works)

**ACTION: Resolution No. 2002-24870 adopted.** Public hearing scheduled for June 19, 2002. R. Parcher to notice. Lilia Cardillo to place on the agenda. Fred Beckmann to handle.

- C7Q A Resolution Approving And Authorizing The Mayor And City Clerk To Execute An Interlocal Agreement Between Miami-Dade County And The City Of Miami Beach, For The Provision Of Alternative Public Transit, Known As The Electrowave Shuttle Service, To Miami Beach Residents And Visitors; The County-Required Agreement Carrying A Five-Year Term, Plus Three One-Year Options To Renew.

(Public Works)

**ACTION: Resolution No. 2002-24871 adopted.** Fred Beckmann to handle.

- C7R A Resolution Authorizing The City Manager To Initiate Discussions With Miami-Dade County Regarding The Costs Incurred By The City Of Miami Beach In Connection With The City's Maintenance And Operations Of The Beach, Which Is Designated As A Regional Park.

(City Manager's Office)

**ACTION: Resolution No. 2002-24872 adopted.** Christina Cuervo to handle.

City Clerk's Note: Retrieval aid: lifeguard

End of Consent Agenda

**REGULAR AGENDA****R2 - Competitive Bid Reports**

- R2A Request For Approval To Award A Contract To The Lowest And Best Bidder, Carivon Construction Co., In The Amount Of \$592,722, Pursuant To Bid No. 06-01/02 For The Replacement Of Dimmer, Lighting Controls, And General Construction/Electrical Work For The Installation Of Interior And Exterior Signage At The Miami Beach Convention Center & TOPA.  
(Convention Center)

**ACTION: Item administratively withdrawn.** Jorge Gonzalez, City Manager, stated that his intent is to amend the recommendation from awarding the contract to rejecting the bids, but he wants to allow for due process. The bid will be re-issued. Gus Lopez to notify the bidders and re-issue the bids.

Vice-Mayor Gross commended the City Manager for this action and stated that in this particular case the City has an opportunity to save the City \$75,000.

**R5 - Ordinances**

**12:48:35 p.m.**

- R5A An Ordinance Amending Section 82-411(D) Of The Miami Beach City Code, Entitled "Prohibited Signs Generally; Exemptions; Banners; Removal"; Said Amendment Authorizing The Administration To Approve The Placement Of Light Pole Banners For Events Taking Place In The City Of Miami Beach; Provided Further, However, That Requests For Light Pole Banners To Promote Events Outside The City Of Miami Beach Shall Be Approved By The City Commission; Providing For Repealer; Severability; Codification; And An Effective Date. **10:40 A.M. Second Reading, Public Hearing.**  
(Cultural Affairs & Tourism Development)  
(First Reading On May 8, 2002)

**ACTION:** Public Hearing held. **Ordinance Number 2002-3368 adopted.** Motion made by Commissioner Steinberg; seconded by Commissioner Bower; Ballot vote: 7-0. R. Parcher to transmit to Municipal Code Corporation. James Quinlan to handle.

Handout:

1. Notice of Ad in Miami Herald

**12:47:13 p.m.**

R5B An Ordinance Amending Ordinance No. 1901 Which Created The Retirement System For General Employees By Amending Section 5.09, "Post Retirement Adjustments" Paragraphs (b) And (d), Thereof To Allow For Increasing The Annual Improvement Factor At A Compounded Rate Of Two And One-Half Percent For Employees Within The Classifications Covered By The "GSA," "AFSCME" And "CWA" Bargaining Units, Or Any Employee Within The Classifications Of The Group "Others," Retroactive To October 2, 2000; Providing For Repealer; Severability; And An Effective Date.

**10:45 A.M. Second Reading, Public Hearing.**

(Human Resources)

(First Reading On May 8, 2002)

**ACTION:** Public Hearing held. **Ordinance Number 2002-3369 adopted.** Motion made by Commissioner Bower; seconded by Commissioner Garcia; Ballot vote: 7-0. T C. Adderly to handle.

Handout:

1. Notice of Ad in Miami Herald

**3:06:03 p.m.**

R5C Parking Structures In Some Residential Zoning Districts To Serve Commercial Uses  
An Ordinance Amending Chapter 130, "Off-Street Parking" Of The Code Of The City Of Miami Beach, Florida, By Amending Section 130-68, "Commercial And Non-Commercial Parking Garages"; To Include Provisions For Allowing Non-Residential Use Of Certain Parking Garages In RM-1 Districts, And Allowing Ground-Floor Commercial Uses Within Certain Parking Garages In RM-2 Districts; Providing For Inclusion In The Code Of The City Of Miami Beach, Florida; Repealer; Severability; And An Effective Date. **10:50 A.M. First Reading, Public Hearing.**

(Planning Department)

(Continued From May 8, 2002)

**ACTION: First of two Public Hearings held. Ordinance approved on First Reading as amended.** Motion made by Commissioner Steinberg; seconded by Commissioner Smith; Ballot vote: 6-0; absent: Commissioner Garcia. Second Reading and Second Public hearing will be scheduled when the Comprehensive Plan is ready for adoption. Jorge Gomez to handle.

**Amendments:**

Commissioner Steinberg:

Section 130-68 (2) (e) The Planning Board shall have the discretion to increase the percentage of residential parking.

Vice-Mayor Gross/Murray Dubbin

Section 130-68 (3) City Attorney's office will rewrite the language in this section. **Legal Department to handle.**

City Clerk's Note: Second reading after 5 pm



**3:38:03 p.m.****R5D Parking Lots On Ocean Drive**

An Ordinance Amending Chapter 142, Of The Miami Beach City Code Entitled "Zoning Districts And Regulations," By Amending Section 142-1107 Entitled "Parking Lots Or Regulations On Certain Lots" By Providing That Vacant Lots Fronting Ocean Drive That Existed As Of January 1, 1999 May Be Used For Provisional Or Temporary Parking Lots As Provided For In Sections 130-70 And 130-71 Of The Miami Beach City Code; Providing For Repealer, Codification, Severability, And Effective Date.

**3:00 P.M. First Reading, Public Hearing.**

(Planning Department)

**ACTION: First of two Public Hearing Opened and Continued to September 11, 2002 at 10:30 am.** Motion made by Commissioner Bower; seconded by Commissioner Smith; Voice vote: 5-1; Opposed: Commissioner Steinberg; Absent: Commissioner Garcia. Lilia Cardillo to place on the Commission agenda. Jorge Gomez to handle.

City Clerk's Note: Administration recommendation is not to approve the ordinance.

Handout:

1. Notice of Ad in Miami Herald

**5:05:57 p.m.****R5E Comprehensive Plan Amendment**

An Ordinance Amending Part II: Goals, Objectives And Policies Of The City Of Miami Beach Year 2000 Comprehensive Plan, As Amended By Clarifying The Standards Applicable To The Category Entitled "Marine Recreational" (MR), Amending Policy 1.2 Of Objective 1: Land Development Regulations Of The Future Land Use Element; Directing Transmittals Of This Ordinance And All Applicable Documents To Affected Agencies; Providing For Repealer, Severability, Inclusion In The Comprehensive Plan And An Effective Date. **5:05 P.M. Second Reading, Public Hearing.**

(Planning Department)

(First Reading On January 9, 2002)

**(Additional Information Submitted Under Separate Cover)**

**ACTION:** Public Hearing held. **Ordinance Number 2002-3370 adopted.** Motion made by Commissioner Bower; seconded by Commissioner Steinberg; Ballot vote: 7-0. Jorge Gomez to update the Comprehensive Plan.

Mr. Jorge Gomez, Planning Department Director, gave an overview.

Mr. Gary Held, Assistant City Attorney, read a statement into the record.

Mr. Clifford Schulman spoke and also disclosed that his financial compensation for lobbying on this issue is \$435.00.

## Handout and reference materials

1. Letter from Clifford A. Schulman, to Mr. Ray Eubanks, Plan Processing Team, Bureau of State Planning, Division of Resource Planning and Management, State of Florida Department of Community Affairs, Dated March 6, 2002, RE: Request for Review of Proposed Amendment to the City of Miami Beach Comprehensive Plan. Enclosed in the transmittal letter are: A) Legal Description of the Alaska Parcel; B) Transcript of the Commission Meeting of January 9, 2002 - item R5D; C) Notice of Adoption of a Development order for the alternative Portofino DRI; D) Master Development Plan; E) Partial transcript of the Planning Board Meeting - 12/2/93 Alaska Parcel; F) Letter for Robert Pennock, Chief Bureau of Local Planning, State of Florida, Department of Community Affairs; G) Copy of Commission Memorandum 396-94, 6-2-94 item R3A; H) Copy of Ordinance 96-3058; and I) copy of map showing the Alaska Parcel.
2. Three Volume document titled: In Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida Appellate Division Case No. 01-335AP Appendix to petition for writ of certiorari
3. Notice of Ad in Miami Herald

**12:51:11 p.m.**

- R5F An Ordinance Amending Chapter 30 Of The Miami Beach City Code Entitled "Code Enforcement " To Provide For The Enforcement Of County Codes; Providing For A Repealer; Severability; Codification And Effective Date. **First Reading.**  
(Neighborhood Services)

**ACTION:** Ordinance approved on first reading. Motion made by Commissioner Steinberg; seconded by Commissioner Bower; Ballot vote: 7-0; Second Reading and Public Hearing scheduled for June 19, 2002. R. Parcher to notice. Lilia Cardillo to place on the Commission agenda. Al Childress to handle.

**4:36:33 p.m.**

- R5G An Ordinance Amending Miami Beach City Code Chapter 2, Entitled "Administration," Creating Code Section 2-315 Entitled "Surplus Stock--Transfer, Sale And Donation"; Providing For Repealer Including Repeal Of Code Section 2-342 Entitled "Surplus Stock"; Providing For Severability; Codification; And Effective Date. **First Reading.**  
(City Attorney's Office)

**ACTION: Ordinance approved on first reading as amended.** Motion made by Commissioner Steinberg; seconded by Vice-Mayor Gross; Ballot vote: 6-0; Absent Commissioner Garcia. Second Reading and Public Hearing scheduled for June 19, 2002. R. Parcher to notice. Lilia Cardillo to place on the Commission agenda. Gus Lopez to handle.

This ordinance went through several revisions. The Agenda and Addendum ordinance were modified. A third revised ordinance was presented to the Commission at the meeting.

**Commissioner Steinberg made the following amendments:**

Amendment #1 to the ordinance presented at the Commission meeting:  
(d) "...In such case, the City Manager shall, disclose to the Commission the value,....."

Amendment #2 to the ordinance presented at the Commission meeting:  
Include language which clarifies the \$25,000 is to be the replacement value

Amendment #3 to the ordinance presented at the Commission meeting:  
Add a local preference. Commissioner Steinberg and the Administration to workout the language.

City Clerk's Note: See Supplemental Materials

Handout and reference materials

1. Amended Ordinance

**12:49:37 p.m.**

R5H An Ordinance Amending Ordinance No. 789, The Classified Employees' Salary Ordinance Of The City Of Miami Beach, Florida, Providing For The Group V Classifications, Those Being The Classifications Covered By The Government Supervisors Association Of Florida (GSA), Local 100, In Accordance With The Negotiated Agreement; Retroactively Increasing The Minimum And The Maximum Of The Salary Ranges By 4% And Increasing The Salary Of Each Employee By 4% From The First Pay Period Ending In October 2001 And Increasing The Minimum And The Maximum Of The Salary Ranges By 4%, And Increasing The Salary Of Each Employee By 4% To Be Applied As Of The First Pay Period Ending In October 2002; Amending The Salary Ranges Of The Classifications Specified In The Negotiated Agreement; Providing For A Repealer, Severability, Codification, And Effective Dates. **First Reading.**  
(Human Resources)

**ACTION:** Ordinance approved on first reading. Motion made by Commissioner Garcia; seconded by Commissioner Steinberg; Ballot vote: 7-0; Second Reading and Public Hearing scheduled for June 19, 2002. R. Parcher to notice. Lilia Cardillo to place on the Commission agenda. T. C. Adderly to handle.

### **R6 - Commission Committee Reports**

#### **Procedural Suggestion:**

Jorge Gonzalez, City Manager, explained that presently if a Committee Report (R6) is not reached, it is automatically placed on the Consent Agenda (C6) on the next Commission Meeting Agenda. It was agreed by acclamation of the Commission that Committee Reports be placed on the Consent Agenda and if discussion is necessary, it can be separated for discussion. **Lilia Cardillo to handle.**

R6A Report Of The G.O. Bond Oversight Committee Meeting Of May 13, 2002: **1)** Project Status Report; **2)** Recommendation To City Commission: a) Oceanfront BODR; b) Normandy Isle BODR; c) Addition Of Cherokee Street Streetend Work To A/E Agreement For Reynolds Smith & Hills; **3)** Informational Items: a) Updated Calendar Of Scheduled Community Design Workshops; b) Corradino Additional Services For Flamingo, Normandy Isle, Scott Rakow; c) Group "C" Parks Construction Bid Rejection; d) North Shore Neighborhood A/E Agreement Amendment; e) Status Report On Bay Road Subproject Of West Avenue/Bay Road Right-Of-Way Improvement Project; And **4)** Change Order Report.

**ACTION: Report accepted.** Motion made by Commissioner Steinberg; seconded by Commissioner Bower; Voice vote: 7-0.

1) No action required.

- 2a) The Committee passed a motion approving the Basis of Design Report (BODR) presented by EDAW for the Oceanfront Neighborhood Project for those items that are funded by GO bonds. **See Agenda Item R7G.**
- 2b) The Committee passed a motion to approve the Basis of Design Report (BODR) presented by Curtis & Rogers for Normandy Isle Neighborhood Improvement project. The Homeowners Association and some individual residents are to achieve a compromise with regards to streetend improvements and sidewalks prior to the Commission approving the Basis of Design Report.
- 2c) The Committee passed a motion to recommend to the City Commission the addition of Cherokee Avenue Seawall to the La Gorce Neighborhood right-of-way improvements project and incorporate the work into the Reynolds, Smith, and Hills agreement for Professional Services for the neighborhood. **See Agenda item C7C.**

R6B Report Of The Land Use And Development Committee Meeting Of May 13, 2002: **1)** Discussion Regarding Sidewalk Café Ordinance Amendment.

**ACTION: Report accepted.** Motion made by Commissioner Steinberg; seconded by Commissioner Bower; Voice vote: 7-0.

- 1) Motion to amend proposed ordinance to ensure that no sale of food occurs from the display case. Refer ordinance to the Historic Preservation Board and the Planning Board. **Jorge Gomez to handle.**

Handout and reference material:

1. Commission Memorandum to Chairman Luis Garcia and Members of the Land Use and Development Committee from Jorge M. Gonzalez, City Manager, dated May 13, 2002, RE: proposed amendment to sidewalk cafe ordinance to permit food displays.

**4:47:53 p.m.**

R6C Report Of The Finance And Citywide Projects Committee Meeting Of May 20, 2002: **1)** Discussion regarding Quik Park, LLC; **2)** CIP Quarterly Report; And **3)** A Resolution approving the Miami Beach Business Assistance Program.

**ACTION: Discussion held regarding item 1. Report accepted.** Motion made by Commissioner Steinberg; seconded by Commissioner Bower; Voice vote: 7-0.

- 1) The Committee moved the item to the full Commission, recommending the Miami Beach Redevelopment Agency bid out the management contract of the Anchor Garage with the City of Miami Beach Parking Department as a potential bidder.
- 3) The Committee moved the item to the full Commission. See Agenda items R7J, R7M, and RDA-3A.

**R7 - Resolutions****10:43:34 a.m.**

R7A A Resolution Authorizing The Mayor And City Clerk To Execute A Lease Agreement Between The City Of Miami Beach And Roma Waxing, Inc., For Use Of Approximately 1350 Square Feet Of City-Owned Property Located At 777 17th Street, Miami Beach, Florida, For A Three Year Term, Commencing On December 1, 2002, And Ending On November 30, 2005; And Further Waive, By 5/7ths Vote, The Competitive Bidding Requirement; As Required By Section 82-39 Of The Miami Beach City Code, Finding Such Waiver To Be In The Best Interest Of The City. **10:30 A.M. Public Hearing.**

(Economic Development)  
(Continued From May 8, 2002)

**ACTION: Public Hearing Opened and Continued to June 19, 2002 at 10:30 A.M.** Motion made by Commissioner Bower; seconded by Commissioner Garcia; Voice vote: 7-0. Lilia Cardillo to place on Agenda. Christina Cuervo to handle.

Handout:

1. Notice of Ad in Miami Herald

City Clerk's Note: Process Resolution handed out on the floor.

**10:55:33:a.m.**

R7B A Resolution Appropriating Funds, In The Amount Of \$222,352.92, From The City Center Redevelopment Agency Tax Increment Financing Fund 168; And Approving The Issuance Of Final Payment To S.I. Nicholas, Inc, In The Amount Of \$222,352.92, For The Lincoln Road Improvements Project, Bid. 79-94/95. **Joint City Commission And Redevelopment Agency.**  
(Capital Improvement Projects)

**ACTION: Heard in conjunction with RDA item 3B. Resolution No. 2002-24873 adopted.** Motion made by Commissioner Bower; seconded by Commissioner Garcia; Voice vote: 7-0. Patricia Walker to appropriate funds. Tim Hemstreet to handle.

**10:47:25 a.m.**

R7C A Resolution Appropriating \$188,000 From The \$92 Million General Obligation Bond Series 2000 Fund No. 373, \$135,000 From Florida State Historic Grant Funds, And \$608,636 From RDA Funds For The Enhancement Of Lighting And Fountains On Lincoln Road. **Joint City Commission And Redevelopment Agency.**

(Public Works)  
**(Resolution To Be Submitted)**

**ACTION: Heard in conjunction with RDA item 3C. Resolution No. 2002-24874 adopted as amended.** Motion made by Commissioner Bower; seconded by Commissioner Steinberg; Voice vote: 7-0. Patricia Walker to appropriate funds.

Amendment:

**The appropriation of \$188,000 from the GO Bond Series 2000 fund No. 373 to be reduced by \$100,000, or \$88,000.**

Commissioner Cruz asked for a status of the "Roach" fountain on Lincoln Road and Washington Avenue. When it is working it looks great, unfortunately it's broken a lot. How much money has been spent? Does the City need to continue spending money on it? **Fred Beckmann to handle.**

Commissioner Bower stated that the pavement is broken on Lincoln Road around Saks 5th Avenue near the circle and the grates are broken in certain areas. **Fred Beckmann to handle.**

City Clerk's Note: 1. \$ 88,000 from GO Bond Series 2000 fund 373  
2. \$135,000 from "Save America Treasures" grant  
3. \$608,636 from RDA funds City Center TIF

Handout and reference materials

1. Color copies of water fountains and lighting

City Clerk's Note: See Supplemental Materials

**12:46:45 p.m.**

R7D ~~A Resolution To Consider Whether It Is In The Public's Best Interest To Undertake Construction Services, Relative To The Lincoln Road Lighting And Fountain Renovation Project, Said Project Having An Estimated Cost Of \$900,000, Using The City's Property Management Director, A Licensed General Contractor, As The General Contractor For The Project And Who, As The City Manager's Designee, Shall Select, Negotiate, And Award All Contracts, Agreements, Purchase Orders, And Change Orders For The Purchase Of All Necessary Goods And Services Relative To Said Project.~~  
**11:30 A.M. Public Hearing.**

(Public Works)  
**(Resolution To Be Submitted)**

**Title changed via Supplemental Materials**

R7D A Resolution Finding, Pursuant To Section 255.20 (1) (a) (9), Florida Statutes, And Following A Duly Noticed Public Hearing That It Is In The Public's Best Interest To Undertake Construction Services, Relative To The Lincoln Road Lighting And Fountain Renovation Project, Said Project Having An Estimated Cost Of \$900,000, Using The City's Property Management Director, A Licensed General Contractor, As The General Contractor For The Project And Who, As The City Manager's Designee, Shall Select, Negotiate, And Award All Contracts, Agreements, Purchase Orders, And Change Orders For The Purchase Of All Necessary Goods And Services Relative To Said Project; Further Approving A Waiver Of Competitive Bidding By 5/7ths Vote, For Procurement Of The Aforestated Goods And Services, Finding Such Waiver To Be In The Best Interest Of The City.

(Public Works)  
**(Resolution)**

**ACTION: Public Hearing held. Resolution No. 2002-24875 adopted as amended.** Motion made by Commissioner Bower; seconded by Commissioner Cruz; Voice vote: 7-0. Fred Beckmann to handle.

## Handout:

1. Notice of Ad in Miami Herald

## Amendment:

**The amount of \$188,000 from the GO Bond Series 2000 fund No. 373 to be reduced by \$100,000, or \$88,000.**

## City Clerk's Note:

1. See Supplemental Materials
2. After the work is completed an after-the-fact resolution needs to be prepared. See Item May 8, 2002 C7T.
3. Notice of Ad in Miami Herald

**4:16:51 p.m.**

R7E A Resolution Approving And Authorizing The City Manager Or His Designee To Negotiate A Contract With The Sole Bidder, Williams Paving, Inc, Pursuant To Invitation To Bid No. 19-01/02, For The Construction Of The Marseille Drive Streetscape Improvements Project; And If The Negotiations Are Successful, Authorizing The Mayor And City Clerk To Execute A Contract For An Amount Not To Exceed \$1,349,717; And Further Appropriating \$8,664 From The Storm Water Bond Fund; And \$5,199 From The Water And Sewer Bond Fund As Budgeted To Complete The Balance Of The Funding For The Project.

(Capital Improvement Projects)

**ACTION: Resolution No. 2002-24876 adopted.** Motion made by Commissioner Smith; seconded by Commissioner Bower; Voice vote: 6-0; Absent Commissioner Garcia. Patricia Walker to appropriate funds. Tim Hemstreet to handle.

Commissioner Cruz stated that he has received complaints that it takes the City too long to pay City vendors. **Patricia Walker to handle.**

**2:38:05 p.m.**

R7F A Resolution Granting In Part An After-The-Fact Revocable Permit To Mr. Robert Swedroe Concerning The Street End Of 78th Street, East Of Atlantic Way, Adjacent To Mr. Swedroe's Property, Located At 7747 Atlantic Way; Accepting The Administration's Recommendation And Granting Said Permit To Retain Only A Limited Landscaping With Lighting And Irrigation And Denying Remaining Request For Permit Of Wrought Iron Fence, Trellis, Portions Of Landscaping And Portions Of Concrete Pavers Over Public Right-Of-Way; Further Making The Granting Of Said Permit Subject To The Foregoing Conditions, As Set Forth In This Resolution; And Authorizing The Mayor And City Clerk To Execute The Revocable Permit. **2:00 P.M. Public Hearing.**

(Public Works)

(Continued From May 8, 2002)

**ACTION: Speakers sworn in. Public Hearing held. Resolution No. 2002-24877 adopted.** Motion made by Commissioner Steinberg; seconded by Commissioner Smith; Voice vote: 6-0; Absent: Commissioner Cruz. Fred Beckmann to handle.

Fred Beckmann, Public Works Director, gave an oral overview.

Commissioner Smith asked what would happen if the applicant does not follow the recommendation of the Commission. What rights does the City have?

Jean Olin, Deputy City Attorney, stated that once the City has fully proceeded through all of the judicial preceding the City would notify the property owner of the illegal encroachments and the property owner must remove within a given timeframe or the City will remove and place a lien on the property.

Mr. George Lott spoke. He stated that an offer has been submitted to the State of Florida for the purchase of all of the remaining vacant lots in the Altos Del Mar area. This will substantially change the character of the neighborhood from a dilapidated neighborhood to a real neighborhood. Because of the sale, there will be new owners. In fairness to the new owners, Mr. Lott requested this item be continued to the next Commission Meeting. He also requested that the City Commission, if so inclined, grant the Application, and that it be done without the conditions set forth by the Historic Preservation Board.

Jean Olin, Deputy City Attorney, stated the procedural history of this case. She stated that Mr. Swedroe's attorney requested that the City Commission grant an after-the-fact revocable permit without the conditions set forth by the Historic Preservation Board. Under the City Code the Historic Preservation Board (HP Board) had jurisdiction and considered this matter because these were alterations within a public right-of-way located in a historic district. Under the City Code, it is absolute, mandatory jurisdiction of the HP Board, which means the City Commission is bound to adhere to and accept the HP Board Order. If the City Commission is not satisfied with the HP Board Order, as the applicant, it could remand the issue back to the HP Board.

Jorge Gomez, Planning Director, added information to the record. He also stated the conditions: In accordance with the Final Order of the HP Board File No. 1172, a revise site and landscape plan shall be submitted to and approved by all applicable City Departments and staff, prior to the issuance of any permits and within 60 days of the issuance of the Revocable Permit.

Condition #1 - 6-months: All or a substantial portion of the decorative pavers in the public right-of-way shall be removed and replaced with a new paver scheme to clearly contrast those pavers utilized on the private driveways, and to create a clearly defined public access way to the dune transition area. Additionally, public sidewalks shall be required on the north and south sides of the 78 Street right-of-way and shall continue to the eastern most point of the cul-de-sac.

2. Condition #2 - 30-days: the existing trellis feature on the south side of the right-of-way shall either be completely removed, or relocated to within the confines of the property to the south.
3. Condition #3 - 6 months: Eight feet of landscape material on the south side of the 78th street-end right-of-way shall be relocated sufficient to accommodate a redesigned cul-de-sac driveway, which shall be centered on the 78th Street right-of-way .
4. Condition #4 - 30 days: The existing fence shall be completely removed for the dune transition area, at the eastern terminus of the 78th Street. No fencing or hedging of any kind shall be permitted within the public right-of-way.
5. Condition #5 - 60 days: A new signage plan, which clearly delineates public access to the beach, shall be required; such signage plan shall be required for Collins Avenue, Atlantic Way and past the cul-de-sac, in a manner to be approved by staff.
6. Condition #6 - 60 days: A minimum twelve (12) foot path from the street end to the beach shall be retained and preserved in a manner to be approved by staff.

Jorge Gonzalez, City Manager, stated that the City is trying to get the fee simple title on the 11 contiguous lots. The State of Florida put out request for bids for the lots. All except one of the lots came in at the minimum bid. The Administration is working with the City's lobbyists to see if the Department of Community Affairs will release the 11 contiguous lots because the aggregate of the bids received exceed the \$6 million State target amount.

Robert Middaugh, Assistant City Manager, stated that the Swedroe lot is not one of the 11 contiguous lots.



Handout and reference materials

1. Color copies of Exhibits "A" and "B"
2. Copy of actions and timeframes
3. Timeframe for completion of work, in accordance to Final Order for HPB File No. 1172, read into the record.

**2:54:43 p.m.**

R7G ~~A Resolution Approving And Officially Adopting The Basis Of Design Report Defining And Describing Water And Sewer Bond, G.O. Bond, Stormwater Bond And Section 108 Loan Funded Capital Improvements To Be Implemented In The Normandy Isle Neighborhood Improvement Project.~~

**REVISED TITLE:**

A Resolution Approving And Officially Adopting The Basis Of Design Report Defining And Describing Water And Sewer Bond And 1999 General Obligation Bond Funded Capital Improvements To Be Implemented Through The Oceanfront Right Of Way Improvement Project.

(Capital Improvement Projects)

**(Resolution)**

**ACTION: Resolution No. 2002-24878 adopted as amended.** Motion made by Commissioner Bower; seconded by Commissioner Steinberg; Voice vote: 6-0; Absent: Commissioner Cruz. Tim Hemstreet to handle.

**CITY CLERK'S NOTE: Process the Resolution submitted with the Supplemental Materials.**

Vice-Mayor Gross suggested that the Administration broadens the public contact. He suggested broadening the mailing, and related information be included in the City's newsletter which is sent with the water bills. **Tim Hemstreet to handle.**

Commissioner Bower suggested using Channel 20.

Vice-Mayor Gross suggested referring the future public arts opportunities to the Arts in public Places Committee. Tim Hemstreet stated these items are sent to the Committee. There is no requirement for right-of-way projects to dedicate a funding source, however, out of the Arts in Public Place allocation they can allocate money to fund art. **James Quinlan will place on Committee agenda.**

Handout and reference materials

1. EDAW booklet titled "City of Miami Beach Infrastructure Improvement Program Basis of Design Report - Neighborhood: No. 6 - Oceanfront, dated May 6, 2002.

City Clerk's Note: See Supplemental Materials

**12:52 p.m.**

R7H A Resolution Approving The Purchase Of Flood Insurance, All Risk Property Insurance (Including Windstorm), And Boiler/Machinery Insurance For City Buildings And Contents, For A Combined Annual Premium Of \$1,878,917 (Net Of Broker Commissions), For A One-Year Period As Proposed By Arthur J. Gallagher & Co., The City's Broker Of Record.  
(Human Resources)

**ACTION: Resolution No. 2002-24879 adopted.** Motion made by Commissioner Smith; seconded by Commissioner Bower; Voice vote: 5-1; Opposed: Commissioner Garcia; Absent: Commissioner Cruz. Cliff Leonard to handle.

Handout and reference material:

1. Modified Resolution

**5:28:06 p.m.**

R7I A Resolution Endorsing A Traffic Safety Study/On-Street Parking Analysis For A1A Harding Avenue, From 75th Street To 88th Street, Prepared By The Florida Department Of Transportation (FDOT), Pursuant To A City Request; And Further Endorsing "Alternative Four" Of The Study For Inclusion As A Proposed Project In The FDOT Work Program, As A Potential Solution To Existing Traffic Safety Issues On Harding Avenue.

(Public Works)

**(Parking Plan Submitted Under Separate Cover)**

**ACTION: Resolution No. 2002-24880 adopted as amended.** Motion made by Commissioner Steinberg to:

- 1) Instruct FDOT to review the two lanes alternative; **Fred Beckmann to handle.**
  - 2) Increase traffic enforcement; **Chief De Lucca to handle.**
  - 3) Recommend option #2 if FDOT is not willing to implement the two lane option; and
  - 4) Add to State Lobbyist agenda; **Christina Cuervo to handle.**
- seconded by Commissioner Bower; Voice vote 7-0. Fred Beckmann to handle.

Commissioner Garcia stated that the lanes should be reduced from three to two lanes. He also requested statistics that substantiate the statement that reducing to two lanes would create more accidents. **Joseph Johnson to handle.**

Vice-Mayor Gross suggested that option #2 is better than option #4.

Commissioner Steinberg recommended increasing police traffic enforcement.

Commission Cruz suggested adding this item to the State Lobbyist agenda.

Handout and reference materials

1. Color copies of "A Parking Plan for Harding Avenue from 75th Street to 88th Street."

**12:21:01 p.m.**

- R7J A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee And Approving The Miami Beach Business Assistance Program, As Attached As Exhibit "A" To This Resolution, Subject To Funding As Part Of The Fiscal Year 2003 Budget Process.  
(Economic Development)

**ACTION: Resolution No. 2002-24881 adopted.** Motion made by Commissioner Bower; seconded by Commissioner Smith; Voice vote: 7-0. Kevin Crowder to handle.

**4:25:12 p.m.**

- R7K A Resolution Appropriating Funds, In The Amount Of \$450,000, From City Of Miami Beach General Fund Undesignated Fund Balance, To Be Combined With \$267,500 Currently Appropriated In The Bayshore Golf Course Construction Project, For A Total Of \$717,500, To Establish The Bayshore Golf Course Grow-In And Pre-Opening Marketing Program; Additionally Authorizing A Reimbursement Of \$450,000, Plus Interest, To The General Fund Undesignated Fund Balance As Golf Course Funds Become Available; Further Authorizing The Mayor And City Clerk To Execute An Interim Management Agreement, In A Form Substantially Attached, Between The City Of Miami Beach And Professional Course Management II, LTD., In The Amount Of \$225,498; Comprised Of \$167,333 For The Professional Golf Course Management Services Needed For The Grow-In And \$58,165 For Pre-Opening Marketing Of The Bayshore Golf Course; Said Agreement Commencing On June 1, 2002 And Conclude On September 30, 2002, With The Option Of Extending The Agreement, On A Month-To-Month Basis Pending The Execution Of The Final Comprehensive Professional Services Management Agreement With Professional Course Management II, LTD.; And Authorizing Expenditures Not To Exceed \$492,002 For Other Related City Expenses As Delineated In The Attached Budget.

(Parks & Recreation)

**ACTION: Resolution No. 2002-24882 adopted.** Motion made by Commissioner Cruz; seconded by Commissioner Smith; Voice vote: 6-0; Absent Commissioner Garcia. Patricia Walker to appropriate funds. Kevin Smith to handle.

Commissioner Steinberg asked why this was not in the original budget.

Commissioner Cruz stated that it will not be too long when the same type of activity will be occurring at Normandy Golf Course and the budget should be revised to make sure all the costs are reflected.

**4:34:32 p.m.**

R7L A Resolution Appropriating \$625,000 From The City Of Miami Beach General Fund Undesignated Fund Balance Into The General Fund Special Projects Machinery And Equipment Account, Established For The Purchase Of Maintenance Equipment For The Bayshore Golf Course; Authorizing The Administration To Requisition Said Funds From The Master Equipment Lease/ Purchase Agreement With Banc Of America Leasing And Capital, LLC., In Accordance With Resolution 2001-24600, Adopted By The City On September 20, 2001, To Reimburse The General Fund Undesignated Fund Balance Upon The Purchase Of Such Equipment; Additionally Authorizing A Reimbursement Of \$625,000, Plus Interest From The Golf Course Revenues To Retire The Loan Debt Service.

(Parks & Recreation)

**ACTION: Resolution No. 2002-24883 adopted.** Motion made by Commissioner Steinberg; seconded by Commissioner Bower; Voice vote: 5-0; Absent: Commissioners Cruz and Garcia. Patricia Walker to appropriate funds. Kevin Smith to handle.

**11:03:08 a.m.**

R7M A Resolution Following A Duly Noticed Public Hearing To Consider Same, Accepting The Recommendations Of The Miami Beach Redevelopment Agency (RDA), As Set Forth In RDA Resolution No. \_\_\_\_ - 2002, **[City Clerk's Note: Corresponding RDA Resolution Not Adopted]** And Approving And Adopting Certain Amendments To The City Center Historic Convention Village Redevelopment And Revitalization Area Plan, An Approved Redevelopment Plan Under The Provisions Of Sections 163.360, Florida Statutes; Said Amendments A) Providing That The Plan Incorporate, By Reference, The Proposed Master Plan For The 17th Street Surface Lots, Prepared By Zyscovich, Inc., Dated September 21, 2001; B) Developing And Implementing Community Policing Innovations Within The City Center Historic Convention Village District, As Provided For In Sections 163.340, 163.350, 163.356, 163.360, 163.361, And 163.370, Florida Statutes; And C) Participating In The Miami Beach Business Assistance Program, For The Purpose Of Business Recruitment Within The Redevelopment Area, To The Extent Legally Permissible Under Chapter 163, Florida Statutes And To The Extent That Funding Is Available.

(Economic Development)

**ACTION: Held in conjunction with RDA-3A. See Action on item RDA-3A. Because of the amendments made to item RDA 3A (elements "B" & "C" were voted on separately).**

**Resolution No. 2002-24884 adopted as Amended (B & C adopted).** R. Parcher to notice element "A" for the June 19 Commission Meeting. Lilia Cardillo to place on the agenda. Christina Cuervo to handle.

City Clerk's Note: On May 10, 2002, the Administration gave a presentation on the proposed Amendments to the County's Tax Increment Finance (TIF) Committee, which voted to recommend in favor of the Amendments. Subject to the adoption of the proposed Amendments by the City Commission, the proposed Amendments must then be presented to the County's Economic Development and Housing Committee for recommendation to the Board of County Commissioners. The Committee is expected to convene on June 13, 2002, and provided the proposed Amendments receive a favorable recommendation, the item will be heard by the County Commission at its meeting on June 18, 2002.

**10:55:35 a.m.**

R7N A Resolution Appropriating Funds, In The Amount Of \$69,250, From The City Center Redevelopment Agency Tax Increment Fund, As Follows: \$47,161, For Additional Approved Change Orders To Danville-Findorff, Inc., And \$22,089, For Additional Asbestos Abatement By DPC General Contractors, Inc., For The Bass Museum Expansion And Renovation Project; And Approving Final Closeout Of The Project, And Completion Of Final Certificate Of Occupancy For The Building. **Joint City Commission And Redevelopment Agency.**

(Capital Improvement Projects)

**ACTION: Heard in conjunction with RDA Item 3E. Resolution No. 2002-24884 adopted.** Motion made by Commissioner Bower; seconded by Commissioner Garcia; Voice vote: 7-0. Patricia Walker to appropriate funds. Tim Hemstreet to handle.

Jorge Gonzalez, City Manager, stated that the intended soft opening is scheduled for September.

Commissioner Bower requested to be updated on the status of the humidifier modifications.

Commissioner Garcia asked if the Bass Museum will be ready for Art Basel.

Jorge Gonzalez, City Manager, stated he is hopeful.

Commissioner Garcia requested a status report on the first Commission meeting in September after the break. **Tim Hemstreet to handle.**

### **R9 - New Business and Commission Requests**

R9A Board and Committee Appointments.  
(City Clerk's Office)

**ACTION:** Item not reached.

Direct appointments made:

#### **Committee on the Homeless:**

Jeff Bechdel	term expires	12/31/03	appointed by Commissioner Garcia
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#### **Community Relations Board:**

Shelly Bell	term expires	12/31/03	appointed by Jorge M. Gonzalez, City Manager
Roymi Membiela	term expires	12/31/02	appointed by Jorge M. Gonzalez, City Manager
Joe Zubizarreta	term expires	12/32/02	appointed by Jorge M. Gonzalez, City Manager

#### **Police/Citizens Relations Committee:**

Frank Kruszewski	term expires	12/31/03	appointed by Commissioner Smith
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**4:06:34 p.m.**

R9B Discussion/Referral Regarding Quality Of Education Committee.  
(Requested By Commissioner Matti Herrera Bower)  
(Deferred From May 8, 2002)

**ACTION: Discussion held. Item referred.** Motion made by Commissioner Bower to have the Administration develop a menu of ideas for the RFP and send to the Finance and Citywide Projects Committee; seconded by Commissioner Smith; Voice vote 6-0; Absent Commissioner Garcia. Mayra Diaz Buttacavoli to handle. Patricia Walker to place on Committee agenda.

Commissioner Bower reviewed the four (4) motions made at the February 26 meeting of the Committee for Quality Education. See page 618 of the Commission Agenda.

Commissioner Smith stated that he has a concern with motion #1 (all RFP's have a Public Education Component), may not be suitable for all contracts.

Commissioner Bower want to explore the options, but wants the Commission's approval to explore.

Jorge Gonzalez, City Manager, stated that it doesn't have to be perceived as a tax. It could be an Adopt-A-Classroom program or fund arts and crafts for a classroom. The Administration to develop a menu of ideas and options, and refer to the Finance and Citywide Projects Committee.

R9C Discussion Regarding Mayor's Blue Ribbon Tourism Task Force - Residential Subcommittee Report.  
(Requested By Mayor David Dermer)  
(Deferred From May 8, 2002)

**ACTION:** Item deferred.

**3:44:53 p.m.**

R9D Discussion Regarding An Ordinance In Reference To A Person Who Lobbies To Procure A Contract For Goods Or Services From The City Of Miami Beach, Prohibiting Them From Making Or Soliciting Directly or Indirectly, Campaign Contributions For Any Elected Official.  
(Requested By Vice-Mayor Saul Gross)

**ACTION: Discussion held.** Motion made by Vice-Mayor Gross to refer the items to the Community Affairs Committee; seconded by Commissioner Bower; Voice vote: 5-0; Absent Commissioners Cruz and Garcia. Mayra Buttacavoli to place on the committee agenda.

Legal to research and draft legislation for the following items:

1. Prohibiting Lobbyist from soliciting or making campaign contributions (Vice-Mayor Gross).
2. Reduce campaign contributions from \$500 to \$250 and prohibit corporate contributions by limiting to individuals (Commissioner Smith and Steinberg)
3. Candidates voluntarily limiting spending. (Mayor Dermer)

Vice-Mayor Gross requested that the above items be separate legislation.

**10:44:24 a.m.**

R9E Discussion Regarding An Updated Report Regarding The South Pointe Baywalk.  
(Requested By Commissioner Matti Herrera Bower)

**ACTION: Discussion held in conjunction with RDA item 3D.**

**6:24:27 p.m.**

R9F Discussion Regarding The 63<sup>rd</sup> Street Flyover Construction Mitigation Of Traffic (MOT) Plan.

(Requested By Commissioner Richard L. Steinberg)

**ACTION: Discussion held.**

Joseph Johnson, Concurrency Management, made a PowerPoint presentation.

Ted Berman made a PowerPoint presentation.

Commissioner Garcia stated that when the bridge is removed that a temporary pontoon bridge be constructed for emergency vehicles.

Commissioner Steinberg stated that closing the 63rd Street Bridge will greatly impact the residents. From North Beach to have to take Biscayne Boulevard to 41st Street is troubling. What is the City going to do to minimize the impact. He also suggested to keep the citizens informed.

Jorge Gonzalez, City Manager, will prepare a report (including citizen's input) and bring it back for discussion.

Mayor Dermer requested Commissioner Steinberg be the liaison between the Administration, the Commission, and the citizens on this subject.

Jorge Gonzalez stated that the Administration along with Commissioner Steinberg will prepare at least the beginnings of a plan and refer to the Neighborhood Committee and have this committee be the forum for discussions. **Vivian Guzman to place on Committee agenda. Fred Beckmann to handle.**

Commissioner Bower asked if 63rd Street could be changed to a residential only road for the duration of the construction. **Fred Beckmann to research.**

Commissioner Smith stated as the representative to the MPO perhaps he can do something to help two-lane Harding Avenue or try to mitigate the problems with the flyover, and requested Joseph Johnson to prepare a resolution to be introduced to the MPO. **Joseph Johnson to handle.**

City Clerk's Note: See LTC 130-2002

Handout and reference material:

1. Letter to Ronnie Singer, Assistant City Manager, from Franklin H. Blecher, Ph.D., not dated, RE: Sixty Third Street Flyover Problem and submitted by Minnette Benson.
2. PowerPoint presentation of the 63rd Street Flyover Mitigation of Traffic (MOT) for proposed demolition document (24 pages), presented by Ted Berman.

R9G Discussion Regarding The Municipal Mobility Plan.  
(Requested By Commissioner Richard L. Steinberg)

**ACTION: Deferred.** Commissioner Steinberg deferred the item. Lilia Cardillo to place on agenda.

### **R10 - City Attorney Reports**

R10A Notice Of Closed Executive Session.

Pursuant To Section 286.011, Florida Statutes, A Closed Executive Session Will Be Held During Lunch Recess Of The City Commission Meeting On May 29, 2002 In The City Manager's Large Conference Room, Fourth Floor, City Hall, To Discuss Pending Litigation On The Following Cases:

West Side Partners, LTD., A Florida Limited Partnership; East Coastline Development, LTD., A Florida Limited Partnership; 404 Investments, LTD., A Florida Limited Partnership; Azure Coast Development, LTD., A Florida Limited Partnership; Beachwalk Development Corporation, A Florida Corporation; Portofino Real Estate Fund, LTD., A Florida Limited Partnership; St. Tropez Real Estate Fund, LTD., A Florida Limited Partnership; And Sun & Fun, Inc., A Florida Corporation, Vs. City Of Miami Beach, A Florida Municipal Corporation. Eleventh Judicial Circuit, General Jurisdiction, Case No. 98-13274 CA-30.

East Coastline Development, LTD. Vs. City Of Miami Beach, Florida, A Political Subdivision Of The State Of Florida And Jerry Blair. Circuit Court Of The Eleventh Judicial Circuit Of Florida, Appellate Division, Case No. 01-335AP

East Coastline Development, LTD., A Florida Limited Partnership Vs. City Of Miami Beach, A Florida Municipal Corporation. Circuit Court Of The Eleventh Judicial Circuit Of Florida, General Jurisdiction Division, Case No. 01-26231 CA 32 (Removed To US Dist. Court, So. Dist. Of Fla. Case No. 01-4921 CIV-MORENO)

East Coastline Development, LTD., A Florida Limited Partnership, And Catherine F. Colonnese, A Registered Voter In The City Of Miami Beach, Florida, Vs. City Of Miami Beach, A Florida Municipal Corporation. Circuit Court Of The Eleventh Judicial Circuit Of Florida, General Jurisdiction Division, Case No. 01-25812 CA 30 (On Appeal In Third District Court Of Appeal Case No. 3DOI-3350)

The Following Individuals Will Be In Attendance: Mayor David Dermer; Members Of The Commission: Matti Herrera Bower, Simon Cruz, Luis R. Garcia Jr., Saul Gross, Jose Smith And Richard L. Steinberg; City Attorney Murray H. Dubbin, City Manager Jorge M. Gonzalez, Deputy City Attorney Robert Dixon, Deputy City Attorney Jean Olin, First Assistant City Attorney Debora Turner, First Assistant City Attorney Gary Held, Special Counsels Richard Ovelmen And Dan Paul.

**ACTION: Cancelled.**

### **Reports and Informational Items**

A Parking Status Report.





**Miami Beach Redevelopment Agency  
Commission Chambers, 3rd Floor, City Hall  
1700 Convention Center Drive  
May 29, 2002**

Chairman of the Board David Dermer  
Member of the Board Matti Herrera Bower  
Member of the Board Simon Cruz  
Member of the Board Luis R. Garcia, Jr.  
Member of the Board Saul Gross  
Member of the Board Jose Smith  
Member of the Board Richard L. Steinberg

Executive Director Jorge M. Gonzalez  
Assistant Director Christina M. Cuervo  
Assistant Director Mayra Diaz Buttacavoli  
General Counsel Murray H. Dubbin  
Secretary Robert E. Parcher

**AGENDA**

1. ROLL CALL
2. OLD BUSINESS
3. NEW BUSINESS

**11:03:02 a.m.**

**12:10 p.m.**

- A A Resolution Of The Chairman And Members Of The Miami Beach Redevelopment Agency, Recommending To The Mayor And City Commission Of The City Of Miami Beach, Florida, Certain Amendments To The City Center Historic Convention Village Redevelopment And Revitalization Area Plan, An Approved Redevelopment Plan Under The Provisions Of Sections 163.360, Florida Statutes; Said Amendments A) Providing That The Plan Incorporate, By Reference, The Proposed Master Plan For The 17th Street Surface Lots, Prepared By Zyscovich, Inc., Dated September 21, 2001; B) Developing And Implementing Community Policing Innovations Within The City Center Historic Convention Village District, As Provided For In Sections 163.340, 163.350, 163.356, 163.360, 163.361, And 163.370, Florida Statutes; And C) Participate In The Miami Beach Business Assistance Program, For The Purpose Of Business Recruitment Within The Redevelopment Area, To The Extent Legally Permissible Under Chapter 163, Florida Statutes And To The Extent That Funding Is Available. **10:00 A.M. Public Hearing.**

**(Plan Submitted Under Separate Cover)**

**ACTION: Heard in conjunction with Item R7M/R7J. Public Hearing Held. Resolution No. 423-2002 adopted as Amended (B & C adopted).** Motion made by Commissioner Bower to strike the item; seconded by Vice-Mayor Gross; Voice vote: 7-0. Christina Cuervo to handle.

Jorge Gonzalez, City Manager, stated that this item goes beyond Mr. Zyscovich's plan. There are three (3) elements to the amendment being proposed for the City Center:

1. Is the master plan being proposed by Mr. Zyscovich;
2. Community policing element
3. Business Assistance Program

Presentation given by Bernard Zyscovich.

Commissioner Steinberg stated that in designing the Convention Center parking garage the architect must make the design usable for the Boat Show. This includes the separation between support beams and the height.

Jorge Gonzalez, City Manager, stated that this will be the task of the architect to meet the needs of the Boat Show regarding the design of the Convention Center parking garage.

Vice-Mayor Gross asked what the Commission needs to do today.

Jorge Gonzalez, City Manager, added that the Administration is requesting to amend the City Center RDA Master Plan to incorporate the concept plan by reference. The Administration is focusing on those things that need to happen to accomplish the policy direction on the New World Symphony. Those include finding replacement parking, where the Sound Space will be situated on the site, and the park.

Commissioner Cruz asked what is the sequencing of events that are contemplated.

Jorge Gonzalez, City Manager, stated that the item presented today is to amend the RDA City Center Master Plan to reference the new vision. The Administration has been discussing with the New World Symphony terms of what a lease may look like. This has been referred to the Finance and Citywide Projects Committee. Replacement parking is another issue.

Christina Cuervo, Assistant City Manager, stated that in order for the New World Symphony to go forward, which is the one element the City Commission has requested to be moved, there are four things that need to happen:

1. Replacement parking behind City Hall
2. The siting of the New World Symphony building and the Drexel Avenue issue
3. The garage adjacent to the New World Symphony building that will provide some of the replacement parking that will be lost by the two surface lots, as well as the required parking for the New World Symphony.
4. The Park. One of the key components is the screen on the rooftop.

Jorge Gonzalez, City Manager, stated that discussions with the New World Symphony have been to what degree and how much will they participate in the costs associated with the four items mentioned above.

Commissioner Garcia stated that he likes the plan but the Convention Center Parking garage should be the priority.

Dave Kelsey spoke against the plan particular against using the 17th Street parking lots.

Frank Del Vecchio stated that he recommends approval of two elements (B & C) of the plan and not to approve incorporating the Plan in the RDA City Center Master Plan because of the significant capital cost of the Plan. The financing has been referred to the Finance and Citywide Projects Committee and this Plan should not be adopted until the Committee reviews and makes a recommendation. The full capital costs need to be understood at the outset.

Christina Cuervo, Assistant City Manager, stated that many of these projects will be funded with Convention Development Tax (CDT) money or parking money. Mr. Zyscovich is finalizing the cost estimates.

Jorge Gonzalez, City Manager, stated that the plan will show the projects and the City Commission will determine the funding source. The City Center RDA Master Plan needs to be amended, so that if the Commission decides to use RDA funding it is eligible.

It was determined that the financial information needs to be in place.

Commissioner Smith stated that the projected capital costs should be included and made a motion to open and continue element "A" to the item to June 19, 2002 at 10: 00 a.m.; seconded by Commissioner Bower; Voice vote 7-0. R. Parcher to notice a new Public Hearing.

#### **Element "B"**

Community Policing:

Motion made by Commissioner Bower to strike element "A" and re-advertise element "A"; seconded by Vice-Mayor Gross; Voice vote: 7-0

Motion Made by Commissioner Bower to approve Element "B"; seconded by Vice-Mayor Gross; Voice Vote: 7-0. Christina Cuervo to handle.

Commissioner Smith asked about providing affordable housing for Police, Fire, and City employees and could it be a program that could piggyback on community policing.

Christina Cuervo, Assistant City Manager, stated that it could be an element of the RDA plan.

Employees still have to meet the affordability criteria.

Commissioner Smith and Mayor Dermer stated that the affordable housing aspects should be explored.

#### **Element "C"**

Miami Beach Business Assistance Program

Motion made by Commissioner Bower; seconded by Vice-Mayor Gross; Voice vote: 7-0.

Issue of the funding mechanism was discussed.

Handout and reference materials

1. Booklet titled City Center Historic Convention Village Redevelopment and Revitalization Area Plan, dated February 12, 1993.
2. F.S. 1995 Intergovernmental Programs Sec. 163.362 (b) Contents of community redevelopment plan.
3. Letter to David Kelsey, South Beach Hotel & Restaurant Association, from Saul Frances, Parking Director, dated December 31, 2001 with attachment (Profit and Loss Statement).
4. Notice of Ad in Miami Herald

10:55:32.a.m.

12:13:02 P.M.

- B A Resolution Of The Chairman And Members Of The Miami Beach Redevelopment Agency (RDA) Authorizing Appropriation Of Funds, In The Amount Of \$222,352.92, From The City Center Redevelopment Agency Tax Increment Financing Fund 168; For Final Payment To S.I. Nicholas, Inc, In The Amount Of \$222,352.92, For The Lincoln Road Improvements Project, Bid No. 79-94/95. **Joint City Commission And Redevelopment Agency**

**ACTION: Heard in conjunction with Item R7B. Resolution No. 419-2002 adopted.** Motion made by Commissioner Bower; seconded by Commissioner Garcia; Voice vote: 7-0. Patricia Walker to appropriate funds.

10:47:25 a.m.

- C A Resolution Of The Chairman And Members Of The Miami Beach Redevelopment Agency Appropriating \$608,636 In Available Tax Increment Funds For The Enhancement Of Lighting And Fountains On Lincoln Road. **Joint City Commission And Redevelopment Agency**

**ACTION: Heard in conjunction with Item R7C. Resolution No. 420-2002 adopted as amended.** Motion made by Commissioner Bower; seconded by Vice-Mayor Gross; Voice vote: 7-0. Patricia Walker to appropriate funds.

Amendment:

**The appropriation of \$188,000 for the GO Bond Series 2000 fund No. 373 to be reduced by \$100,000 or \$88,000.**

City Clerk's Note: 1. \$ 88,000 from GO Bond Series 2000 fund 373  
2. \$135,000 from "Save America Treasures" grant  
3. \$608,636 from RDA funds City Center TIF

10:44:01 a.m.

- D A Resolution Of The Chairman And Members Of The Miami Beach Redevelopment Agency Appropriating \$171,000 From South Pointe Tax Increment Funds, For The Construction Costs Of A Temporary Pedestrian Baywalk Located At The Portion Of The Alaska Parcel Described In The Temporary Baywalk Access Easement Granted For Said Project.

**ACTION: Item heard in conjunction with item R9E. Resolution No. 421-2002 adopted.** Motion made by Commissioner Bower; seconded by Vice-Mayor Gross; Voice vote: 7-0. Patricia Walker to appropriate funds.

**10:58:31 a.m.**

- E A Resolution Of The Chairman And Members Of The Miami Beach Redevelopment Agency, Appropriating Funds, In The Amount Of \$69,250, From The City Center Redevelopment Agency Tax Increment Fund, As Follows: \$47,161, For Additional Approved Change Orders To Danville-Findorff, Inc., And \$22,089, For Additional Asbestos Abatement By DPC General Contractors, Inc., For The Bass Museum Expansion And Renovation Project; And Approving Final Closeout Of The Project, And Completion Of Final Certificate Of Occupancy For The Building. **Joint City Commission And Redevelopment Agency.**

**ACTION: Heard in conjunction with Item R7N. Resolution No. 422-2002 adopted.** Motion made by Commissioner Bower; seconded by Commissioner Garcia; Voice vote: 7-0. Patricia Walker to appropriate funds. Tim Hemstreet to handle.

Commissioner Garcia requested a status report on the first Commission meeting in September after the break. He would like this ready on time for Art Basel. **Tim Hemstreet to handle.**

Meeting adjourned at 7:16 p.m.

**End of RDA Agenda**